

core 2. As shown in Fig. 6, a booster in the form of a fan 13 for boosting the flow of coolant is arranged so that the flow of coolant as illustrated by the arrows is boosted by the fan 13 and flows into a duct or passage way 23 at the left hand end of the stator iron core 2 as illustrated in Fig. 6, and through a cooler 28b disposed in a ventilation passage 20 and communicating via the ventilation passage 18b with a central portion of the stator iron core 2 in the axial direction of the stator iron core so that the coolant as cooled by the cooler 28b flows through the central portion of the stator iron core in a direction of an outer peripheral side to an inner peripheral side of the stator iron core via the at least one ventilation passage 20, 18b after being cooled by the cooler 28b. Thereafter, as shown, the coolant flows outwardly from the inner peripheral side of the stator iron core 2 to the outer peripheral side thereof through the ventilation passage 18a and the ventilation passage 21 through another cooler 28a and the ventilation passage 25, as shown in the left-hand end of Fig. 6, wherein the coolant flow is then again boosted by the fan 13. In this manner, the central portion of the stator iron core 2 in the axial direction thereof, at which the temperature of the supplied coolant tends to become highest conventionally and the amount of the supplied coolant tends to become smallest conventionally, can be cooled by the coolant which is cooled beforehand by the cooler 28b so that it is possible to suppress local heat generation in the air gap 6, and hence, to level the axial temperature rise distribution in the machine. Again, the flow continues through end portions of the stator iron core in the axial direction thereof outwardly from the inner peripheral side to the outer peripheral side and through another cooler 28a, for example. Applicants submit that the aforementioned features are now clearly set forth in each of independent claims 1 and 4 with the dependent claims being amended in a manner which should be considered to be in compliance with 35 U.S.C. §112, second paragraph, and applicants submit that such features are not

disclosed or taught in the cited art, as will become clear from the following discussion.

Turning to the rejection of claims 3 and 6 under 35 U.S.C. §112, second paragraph, as being indefinite, it is noted that by the present amendment, claims 3 and 6 have been amended to depend from claims 2 and 5, respectively, thereby providing antecedent basis for the language of "the booster". Accordingly, applicants submit that such rejection should now be overcome.

As to the rejection of claims 1-6 under 35 U.S.C. 102(b) as being anticipated by Mizuyama et al (US 4,347,451), this rejection is traversed insofar as it is applicable to the present claims, and reconsideration and withdrawal of the rejection are respectfully requested.

At the outset, as to the requirements to support a rejection under 35 U.S.C. 102, reference is made to the decision of In re Robertson, 49 USPQ 2d 1949 (Fed. Cir. 1999), wherein the court pointed out that anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. As noted by the court, if the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if the element is "inherent" in its disclosure. To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Moreover, the court pointed out that inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

Turning to Mizuyama et al, applicants submit that the Examiner has mischaracterized the disclosure of this patent in relation to the claimed invention. As an aid to the Examiner, reference is made to the attached Sketch, wherein Sketch 1

represents the present invention wherein the flow of the coolant in the ventilating circuit after being cooled by the cooler flows to the central portion of the stator iron core in an axial direction thereof from an outer peripheral side to an inner peripheral side with the flow from the outer peripheral side to the inner peripheral side being represented by \otimes and the flow from the inner peripheral side to the outer peripheral side being represented by \odot . Irrespective of the Examiner's contentions concerning Mizuyama et al, and the position by the Examiner that a cooler 38 which cools a coolant is provided in at least one of ventilation passage 40, and the stator iron core is represented by 128, which features are illustrated in Fig. 3 of Mizuyama et al, applicants note that Fig. 3 also illustrates boosters or fans 37 communicating with ventilation passages 39. As illustrated in Fig. 3 of Mizuyama et al, the flow of coolant is initially boosted by the fans 37 so as to flow through the ventilation passages 39 and through the stator iron core from the outer peripheral side to the inner peripheral side and thereafter, as illustrated in Fig. 3, from the inner peripheral side to the outer peripheral side through the ventilation passage 40, where the flow is cooled by the cooler 38. In each case, the passages 39 and 40 communicate along the entire outer periphery of the stator iron core in the axial direction thereof. Thus, applicants submit that with respect to the features of independent claim 1, Mizuyama et al does not disclose a cooler which cools a coolant being provided in at least one ventilation passage, which one ventilation passage communicates with a central portion of the stator iron core in an axial direction of the stator iron core, and a ventilating circuit in which the coolant cooled by the cooler is allowed to flow to the central portion of the stator iron core in a direction from an outer peripheral side to an inner peripheral side of the stator iron core via the at least one ventilation passage which communicates with the central portion of the stator iron core. That is, in accordance with Fig. 3 of Mizuyama et al, the cooler 38 is provided downstream of the flow of coolant from the inner peripheral side to the outer peripheral side of the stator iron core 128, which is

contrary to the claimed features of independent claims 1 and 4 and the dependent claims thereof in the sense of 35 U.S.C. 102. As such, applicants submit that independent claims 1 and 4 and the dependent claims patentably distinguish over Mizuyama et al in the sense of 35 U.S.C. 102.

With respect to independent claim 4, it is noted that such claim further recites that another cooler cools the coolant which is first cooled by one cooler and then allowed to flow to a central portion in an axial direction of the stator iron core in a direction from an outer peripheral side to an inner peripheral side. While the cooler 38 in Mizuyama et al may be considered to be the another cooler, applicants submit that the cooler 38 of Mizuyama et al cannot be considered to be the one cooler provided in the at least one ventilation passage as defined. Thus, it is apparent that claim 4 further patentably distinguishes over Mizuyama et al in the sense of 35 U.S.C. 102.

With respect to the dependent claims, it is noted that dependent claims 2 and 5 have been amended to recite the feature of a booster for boosting flow of the coolant disposed upstream of a flow direction of the coolant through said cooler, as recited in the parent claims, and while Mizuyama et al discloses a booster in the form of the fans 37, such fans are not disposed in the manner recited relation to the cooler as recited in the parent claims, such that dependent claims 2 and 5 further patentably distinguish over Mizuyama et al in the sense of 35 U.S.C. 102 and should be considered allowable thereover.

As to dependent claims 3 and 6, while Mizuyama et al discloses a booster in the form of a fan 37, such claims depends from parent claims 2 and 5, respectively, and as pointed out above, the features of the independent claims 1 and 4 and dependent claims 2 and 5 are not disclosed by Mizuyama et al in the sense of 35 U.S.C. 102. Thus, applicants submit that all claims present in this application

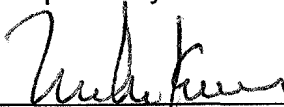
patentably distinguish over Mizuyama et al in the sense of 35 U.S.C. 102 and should be considered allowable thereover.

In view of the above amendments and remarks, applicants submit that all claims present in this application should now be considered to be in compliance with 35 U.S.C. §112 and to patentably distinguish over the cited art. Accordingly, issuance of an action of a favorable nature is courteously solicited.

Also, submitted herewith is an Information Disclosure Statement and consideration of the documents presented are respectfully requested.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (503.38383CX1) and please credit any excess fees to such deposit account.

Respectfully submitted,



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